

CITY COUNCIL REPORT



Meeting Date: May 14, 2013
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

C-1, PNC, PCoC Zoning Ordinance Text Amendments.

8-TA-2012, 9-TA-2012, and 10-TA-2012

Request to consider the following:

1. Adopt Ordinance No. 4082 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) for the purpose of updating regulations related to allowable land uses and development standards for the Neighborhood Commercial (C-1) zoning district.
2. Adopt Resolution No. 9410 declaring the document entitled "Zoning Ordinance Text Amendment-Neighborhood Commercial (C-1) District – 8-TA-2012" to be a public record.
3. Adopt Ordinance No. 4083 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) and Article VII (General Provisions) for the purpose of updating regulations related to allowable land uses and development standards for the Planned Neighborhood Commercial (PNC) zoning district.
4. Adopt Resolution No. 9411 declaring the document entitled "Zoning Ordinance Text Amendment-Planned Neighborhood Commercial (PNC) District – 9-TA-2012" to be a public record.
5. Adopt Ordinance No. 4080 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) for the purpose of updating regulations related to allowable land uses and development standards for the Planned Convenience Center (PCoC) zoning district.
6. Adopt Resolution No. 9409 declaring the document entitled "Zoning Ordinance Text Amendment- Planned Neighborhood Commercial (PCoC) District – 10-TA-2012" to be a public record.

APPLICANT CONTACT

Kira Wauwie, AICP
City of Scottsdale
480-312-7898

LOCATION

City-wide

BACKGROUND

Key Items for Consideration

- This proposal is part of the on-going effort to update the overall Zoning Ordinance and includes a new use matrix format, simplified/modernized language, and consistent style.
- The C-1, PNC, and PCoC Districts allow shopping, service, and office uses.
- The proposed land use list is simplified by combining uses and allowing some, but not all, conditional uses as “permitted” uses.
- The proposal does not increase height allowances or alter the intensity of development.
- The property development standard revisions incorporate more logical order of standards, eliminate outdated requirements, relieve nonconforming limitations, and improve language for better understanding.
- The Planning Commission heard this case on April 24, 2013 and recommended approval with a vote of 6-0.

General Plan

The Scottsdale General Plan is a long-range policy document, guiding future development in the city, and the Zoning Ordinance is one of many General Plan implementation tools. The proposed Zoning Ordinance text amendment implements the following goals in the 2001 Scottsdale General Plan:

Land Use

- Strengthen the identity of Scottsdale by encouraging land uses that contribute to the character of the community and sustain a viable economic base.
- The General Plan’s commercial land use category corresponds to the C-1, PNC, and PCoC zoning districts. The commercial land use category encourages uses that provide a variety of goods and services to various geographic areas of the community ranging from neighborhood to community, and regional markets.

Economic Vitality

- Encourage and maintain a high level of diverse, quality retail and entertainment activity in Scottsdale that supports the needs of Scottsdale’s residents and visitors.
- Encourage and support a diversity of businesses that contribute to Scottsdale’s sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.
- Diversify Scottsdale’s business and retail community so it includes a variety of business types as well as a variety of business scales and sizes.
- Support businesses in adapting to the constantly changing market as a result of new technologies, and support those companies that are integral to the “new economy.”

- Encourage and support the renovation and reuse of underutilized or vacant parcels/buildings/shopping centers.

Zoning

This proposal is part of the on-going updates to the Zoning Ordinance. This effort follows the completion of text amendments for: Regional Shopping Center (C-S), Central Business District (C-2), Commercial Highway (C-3), General Commercial (C-4), Industrial Park (I-1), Light Employment (I-G), and Commercial Office (C-O) Districts.

Scottsdale's first Zoning Ordinance was adopted in 1953 with two Commercial Districts, Commercial A and Commercial B. In 1962, Ordinance 159 replaced the A and B Districts, with new Commercial Districts: Regional Shopping Center (C-S), Neighborhood Commercial (C-1), Central Business District (C-2), Highway Commercial (C-3), and General Commercial (C-4). The C-S District was listed first but its intensity in the order of the Districts would have been more appropriately positioned between the C-3 and C-4 Districts. In addition, the C-4 District is an employment district characterized by higher intensity uses more often associated with industrial users and heavy retail users. A complete rewrite of the Zoning Ordinance was conducted in 1969. The 1969 Zoning Ordinance is considered the base Zoning Ordinance for the City. The above Commercial Districts were carried forward with the 1969 rewrite.

In the 1970's, the "Planned" Commercial Districts were added to the Zoning Ordinance. These districts were crafted to encourage a higher level of open space, less parking, and offered use combinations intended for attracting a more sophisticated design and ambiance compared to a traditional commercial strip mall products achieved with the other Commercial Districts. Often the Planned Commercial Districts were incorporated with master planned community developments with amended uses and development standards; and offered pedestrian and bicycle access to and from the properties from areas other than the street frontages. The Planned Commercial Districts include Planned Convenience Center (PCoC), Planned Neighborhood Center (PNC), Planned Community Center (PCC), and Planned Regional Center (PRC).

Some of the regulations that are contained in the Zoning Ordinance today are the same as may have existed in the 1960's and 1970's. While many of those regulations may be effective and relevant for the 2010's, some of the regulations should be updated.

Districts Specific to This Proposal

This proposal is to make adjustments to the Planned Convenience Center (PCoC), Neighborhood Commercial (C-1), and the Planned Neighborhood Center (PNC) Districts.

In 1977 the PCoC District was established, and it has been amended thirty-one times. Changes were made to both land use and development standards. The PCoC District includes intensity and development characteristics that are higher in comparison to the Service Residential (S-R) transitional district, as the PCoC District expands the use list to include retail and service uses. Specifically, daily-needs uses are allowed in the PCoC district including restaurants, day care center,

offices, and grocery store limited in size to 3,000 square feet gross floor area. The district is size limited to one acre, although two of the PCoC zoned sites are larger as a result of amended standards. There are only four PCoC District locations in the community, one is a commercial center, one is partially developed with a gas station (the remainder of the property is undeveloped), one is a home owner's association office, and one site is undeveloped.

Generally the next district in development intensity is the C-1 District and it has been amended forty-one times. The C-1 District is the lowest intensity Commercial District offering retail shopping. It also allows services and office uses that fulfill daily needs for its surrounding neighborhoods. The C-1 District was frequently utilized between 1965 and 1975 with 25 to 30 rezoning cases; and interest in the district dropped with six zoning cases between 1975 and 1990; after that there were few C-1 District zoning cases.

The PNC District was adopted in 1974. This District's land use list is comparable to the C-1 District, offering similar mix of uses including office, retail, and services. The development standards of the PNC District allow less floor area ratio, require more open space including a courtyard and private outdoor living space, and set a maximum property size of 10 acres with a minimum of 4 acres. While this is a Planned Commercial District, some of the existing PNC District developments do not exhibit obvious differences when compared to developments that have non-Planned Commercial District zoning such as C-1 zoning. In addition, many of the PNC District developments are located in master planned communities with amended land use and development standards; others have variances of development standards; and other sites have standards that were amended with the original zoning case. Without detailed research to discover these approvals many of the PNC District developments appear to be nonconforming.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

This proposal is intended as a clean-up and improvement effort to modernize and enhance the usefulness of the Zoning Ordinance. The proposal incorporates standardized language, style, and format. The intent is not to expand or create greater intensity of development.

This proposal is to make adjustments to the Neighborhood Commercial (C-1), the Planned Neighborhood Center (PNC), and the Planned Convenience Center (PCoC) Districts, consistent with the improvements made to the Commercial Districts, Employment Districts, and other previously completed Zoning Ordinance updates:

- Form, structure, and style consistency
- Use Regulations:
 - Modernize, collapse and consolidate use labels
 - Reformat use section into a table format

- Development standards:
 - Language and standards
 - Clean-up language to make the section easier to read and understand
- Reference to other sections:
 - Standardize references to General Provisions, Sign Requirements, Parking, Landscaping

This proposal combines similar uses into unified labels, such as:

- Office - reducing office uses into one office use listing;
- Retail - combining retail and service uses into one retail use listing;
- Bank and savings uses – reducing use listings into one financial institution use listing;
- Learning places – reducing use listings into educational service use; and
- Personal Care Service – combining multiple use listings, including shoe/garment, cosmetic/hair/tattoo, and spa/massage services.

The purpose statements are proposed for revision, they are simplified and modernized.

The “Approvals required” sections are proposed to be revised for consistency with existing Zoning Ordinance language, specifically Development Review Board approval.

The “Use regulations” section is updated as mentioned above.

The “Development Standards” were evaluated in a similar fashion as the use regulations, by reviewing past text amendments, evaluating current City policies, and identifying contemporary development trends. No changes are proposed for building height.

The “Property Size” associated with the Planned Commercial Districts is proposed to be moved to its own section, towards the beginning of the district section. This helps to clarify that the size of the property is that area of the zoning map amendment or “district.” This is consistent with existing provisions of the Zoning Ordinance.

Building Volume – the bulk and design control (not related to noise) is proposed to be deleted because that standard is often misunderstood or not implemented in its best capacity. In addition, Scottsdale has a sophisticated development review process that often relieves the need for control of building volume.

The various development standards of each district were evaluated to identify which provisions could be adjusted to help existing nonconforming properties enhance their quality in the community. In the C-1 District the front yard is proposed to be reduced and match any single-family residential front yard that is on the same side of the street. The PNC development standards in this proposal include a revision to increase the property size from a maximum of 10 acres to 15 acres, increase floor area ratio from 0.3 to 0.5, and combine the courtyard open space into the common

open space; all resulting in existing PNC developments that conform to the development standards. The PCoC District standards have similar adjustments to the front yard revising from the requirement to match the yard of the building located within 100 feet to requiring that the front yard match the single-family residential front yard that is on the same side of the street. The PCoC side and rear yards abutting residential development are proposed at 20 feet plus $\frac{1}{2}$ of any alley instead of the existing building height plus $\frac{1}{2}$ of any alley. That proposal provides clarity of how much yard is required as the building height may vary up to 24 feet maximum height excluding rooftop appurtenances.

IMPACT ANALYSIS

Zoning Ordinance Administration / Land Development / Economic Vitality

These updates will enhance and improve the implementation of the Zoning Ordinance, which should facilitate more timely responses and decision making for zoning entitlement, land development, and business establishment processes. Modernization of land use and development standards will facilitate positive dialogue about development project details.

Community Involvement

Open House meetings were held on January 15 and 16, 2013 at the One Civic Center Building. These meetings were advertised with an eighth page advertisement in the newspaper, a Scottsdale subscriber e-mail, and postcards were sent to the interested parties list. There was one meeting attendee; this person was with The Coalition of Greater Scottsdale. Comments included:

- 1) Whether certain existing uses and developments are existing nonconformities.
- 2) Clarification of how the public schools comply with the City's zoning requirements.
- 3) Suggestions for Zoning Ordinance changes that are outside the scope of this project.
- 4) Clarification about the exclusion of roof appurtenances for building height (that is an existing regulation).
- 5) Suggestions to treat all commercial setbacks to single- and multiple- family residential districts the same. The setbacks currently are different depending upon the district and can range from 20 feet to 80 feet, and in some cases require stepped back building planes. At the time of the open house meetings, no revisions to setbacks were proposed. After the open house meetings, the proposal incorporated changes to the setbacks for the C-1 and the PCoC Districts:
 - a) C-1 and PCoC. Revised the front yards to require that the front yard match the single-family residential yard where the commercial building is abutting, within 100 feet, and on the same side of the street as a single-family residential district lot. This will maintain a compatible front yard and provide flexibility for existing nonconforming properties.
 - b) PCoC. Revised the side and rear yard setbacks. While there are few PCoC zoned properties existing, this revision puts forth a simplified standard:

- i) From: the building height (24-feet maximum in the PCoC district) including one-half the width of the alley (typically 8-feet or less),
 - ii) To: 20-feet including up to one-half the width of the alley (typically 8-feet or less).
- 6) Recognition that size limits on land uses may be a deterrent to small business investments.
- 7) Support for flexibility in the limit on the number of patron seats at theaters, and recognition that there should continue to be parking, fire, and other public safety requirements.

Community Impact

The Zoning Ordinance is the implementing tool for use and development standards associated with land development and its usefulness, or lack thereof, affects the well-being, livability, and economic activity in the community. When the Zoning Ordinance provides clear direction and guidance, business and personal decisions about property can be made quickly. These changes positively enhance the business and resident experiences by facilitating a higher quality of life and business activity.

OTHER BOARDS & COMMISSIONS

Planning Commission

The Planning Commission heard this case on April 24, 2013 and recommended approval with a vote of 6-0.

Recommended Approach

Staff recommended that the Planning Commission make a recommendation to the City Council for approval of cases 8-TA-2012, 9-TA-2012, and 10-TA-2012, text amendments to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) and Article VII. (General Provisions) for the purpose of updating the regulations related to allowable land uses and development standards for the Neighborhood Commercial (C-1), Planned Neighborhood Center (PNC), and Planned Convenience Center (PCoC) the Districts, finding that the zoning ordinance text amendment is consistent with and conforms to the adopted General Plan.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

1. Adopt Ordinance No. 4082 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) for the purpose of updating regulations related to allowable land uses and development standards for the Neighborhood Commercial (C-1) zoning district.

2. Adopt Resolution No. 9410 declaring the document entitled "Zoning Ordinance Text Amendment-Neighborhood Commercial (C-1) District – 8-TA-2012" to be a public record.
3. Adopt Ordinance No. 4083 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) and Article VII (General Provisions) for the purpose of updating regulations related to allowable land uses and development standards for the Planned Neighborhood Commercial (PNC) zoning district.
4. Adopt Resolution No. 9411 declaring the document entitled "Zoning Ordinance Text Amendment-Planned Neighborhood Commercial (PNC) District – 9-TA-2012" to be a public record.
5. Adopt Ordinance No. 4080 approving a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article V. (District Regulations) for the purpose of updating regulations related to allowable land uses and development standards for the Planned Convenience Center (PCoC) zoning district.
6. Adopt Resolution No. 9409 declaring the document entitled "Zoning Ordinance Text Amendment-Planned Convenience Center (PCoC) District – 10-TA-2012" to be a public record.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

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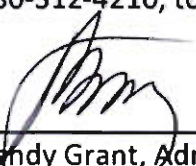
APPROVED BY


Kira Wauwie, AICP, Report Author

4/25/2013
Date


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4/25/2013
Date


Randy Grant, Administrator
Planning, Neighborhood and Transportation
480-312-2664, rgrant@scottsdaleaz.gov

4/25/13
Date

ATTACHMENTS

1. Ordinance No. 4082
2. Resolution No. 9410
Exhibit A. Proposed Text Amendment Language - 8-TA-2012 Neighborhood Commercial (C-1)
3. Ordinance No. 4083
4. Resolution No. 9411
Exhibit A. Proposed Text Amendment Language - 9-TA-2012 Planned Neighborhood Commercial (PNC)
5. Ordinance No. 4080
6. Resolution No. 9409
Exhibit A. Proposed Text Amendment Language - 10-TA-2012 Planned Neighborhood Commercial (PCoC)
7. April 24, 2012 Planning Commission Minutes

ORDINANCE NO. 4082

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO AMEND ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING ARTICLE V. (DISTRICT REGULATIONS) AS PROVIDED IN CASE NO.8-TA-2012 .

WHEREAS, the City of Scottsdale wishes to amend the Zoning Ordinance provisions regarding the regulations applicable to the Neighborhood Commercial (C-1) District; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2013; and

WHEREAS, the City Council held a public hearing on May 14, 2013 and considered a text amendment to the Zoning Ordinance of the City of Scottsdale, Case No. 8-TA-2012; and

WHEREAS, the City Council has determined that the subject Zoning Ordinance amendment is in conformance with the General Plan.

THEREFORE BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. That the Zoning Ordinance of the City of Scottsdale, is amended by amending Article V. (District Regulations), as specified in that certain document entitled "Zoning Ordinance Text Amendment – Neighborhood Commercial (C-1) District – 8-TA-2012" declared to be a public record by Resolution No. 9410 of the City of Scottsdale, and hereby referred to, adopted in its entirety and made a part hereof as if fully set out in this Ordinance.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 14th day of May, 2014.

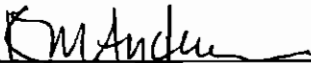
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Kathe Anderson, Assistant City Attorney

RESOLUTION NO. 9410

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "ZONING ORDINANCE TEXT AMENDMENT – NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT – 8-TA-2012."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Zoning Ordinance Text Amendment – Neighborhood Commercial (C-1) District – 8-TA-2012," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 14th day of May, 2013.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Kathe Anderson, Assistant City Attorney

ARTICLE V. – DISTRICT REGULATIONS

1. Sections 5.1300. through 5.1307 are deleted [Neighborhood Commercial (C-1) district.] as follows:

~~Sec. 5.1300. Neighborhood Commercial (C-1).~~

~~Sec. 5.1301. Purpose.~~

~~This district is intended to provide a center for convenience shopping in a residential neighborhood. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood, and shall be in locations where analysis of residential population demonstrates that such facilities are justified.~~

~~Sec. 5.1302. Approvals required.~~

~~No structure or building shall be built or remodeled upon land in the C-1 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.~~

~~Sec. 5.1303. Use regulations.~~

~~A. Uses permitted. Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:~~

~~1. Business and professional.~~

~~a. Business and professional offices.~~

~~b. Municipal uses.~~

~~c. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the C-1 District.~~

~~i. Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.~~

~~ii. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty three thousand (43,000) square feet (net).~~

~~iii. Noise: Outdoor speaker system or bells are not allowed if the school building is within one hundred (100) feet of a single family dwelling or multifamily dwelling unit.~~

~~iv. Required Open space.~~

~~(1) Minimum: the amount required by the C-1 District development standards.~~

~~(2) NAOS may be included in the required open space.~~

~~v. Parking: Parking shall observe the front yard setbacks of the district for all frontages. One-third (1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.~~

~~vi. Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., and screened by a minimum six-foot high wall.~~

~~vii. Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.~~

~~viii. Public trails and pedestrian connections: Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.~~

~~ix. Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.~~

~~2. Residential.~~

~~a. Dwelling units physically integrated with commercial activities (limited to one (1) dwelling unit for each business establishment).~~

~~3. Retail sales.~~

~~a. Bakery.~~

~~b. Branch post office, on private property.~~

~~c. Candy shop including the making of candy.~~

~~d. Drugstore.~~

~~e. Grocery store or supermarket.~~

~~f. Liquor store.~~

~~g. Restaurant including drive-through restaurant but excluding drive-in restaurant.~~

~~h. Sporting goods.~~

- ~~i. Variety store including toy store.~~
- ~~j. Vehicle parts limited to two thousand five hundred (2,500) square feet of gross floor area provided no rebuilding or machining of vehicle parts is performed.~~
- ~~4. Service.~~
 - ~~a. Appliance repair shop.~~
 - ~~b. Bank.~~
 - ~~c. Barber or beauty shop.~~
 - ~~d. Churches and places of worship.~~
 - ~~e. Clothes cleaning agencies and laundromats, excluding industrial cleaning and dyeing.~~
 - ~~f. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.~~
 - ~~g. Health and fitness studio (limited to four thousand (4,000) square feet of gross floor area)~~
 - ~~h. Hospital or clinic for animals including boarding and lodging; provided that there shall be no open kennels maintained and provided that all activities are conducted in soundproof buildings.~~
 - ~~i. Hotel motel, twenty (20) rooms maximum.~~
 - ~~j. Recyclable material collection center.~~
 - ~~k. Shoe repair shop.~~
 - ~~l. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200~~
- ~~B. Uses permitted but limited to two thousand five hundred (2,500) square feet of gross floor area.~~
 - ~~1. Camera store.~~
 - ~~2. Craft shop.~~
 - ~~3. Fabric store.~~
 - ~~4. Florist.~~
 - ~~5. Hardware.~~
- ~~G. Uses permitted by conditional use permit.~~
 - ~~1. Carwash.~~
 - ~~2. Community buildings and recreational facilities not publicly owned.~~
 - ~~3. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district.~~
 - ~~4. Gas station.~~
 - ~~5. Internalized community storage.~~

- ~~6. Live entertainment.~~
- ~~7. Public utility buildings, structures or appurtenances thereto for public service uses.~~
- ~~8. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200~~

~~Sec. 5.1304. Property development standards.~~

~~The following property development standards shall apply to all land and buildings in the C-1 District:~~

- ~~A. Floor area ratio. Is limited to eight tenths (0.8) of the net lot area.~~
- ~~B. Volume. Is limited to the net lot area in square feet multiplied by nine and six tenths (0.6) feet for any building.~~
- ~~C. Required open space:~~
 - ~~1. Minimum: 0.10 multiplied by the net lot area.~~
 - ~~2. For building heights over twelve (12) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twelve (12) feet.~~
 - ~~3. Parking areas and parking lot landscaping are not included in the required open space.~~
- ~~D. Building height. No building shall exceed thirty six (36) feet in height except as otherwise provided in article VII.~~
- ~~E. Density. No requirements.~~
- ~~F. Yards:~~
 - ~~1. Front Yard:~~
 - ~~a. There shall be a front yard having a depth of not less than thirty (30) feet.~~
 - ~~b. Where a lot has double frontage on two (2) streets, the required front yard of not less than thirty (30) feet shall be provided on both streets.~~
 - ~~c. Where a lot is located at the intersection of two (2) or more streets, the required front yard of not less than thirty (30) feet shall be provided on one (1) street and a yard having a depth of not less than twenty (20) feet shall be provided on the intersecting street.~~
 - ~~d. Parking shall not be allowed in required front yards.~~
 - ~~e. Front yard requirements shall be as stated above unless special circumstances warrant waiver of those requirements by the Development Review Board.~~
 - ~~2. Side Yard:~~
 - ~~a. A side yard of not less than fifty (50) feet shall be maintained where the side of the lot abuts a single family residential district or abuts an alley which is adjacent to a single family residential district. The fifty (50) feet may include the width of the alley.~~
 - ~~b. A side yard of not less than twenty five (25) feet shall be maintained where the side~~

~~lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.~~

~~3. Rear Yard.~~

~~a. A rear yard of not less than fifty (50) feet shall be maintained where the rear lot abuts a single-family residential district or abuts an alley which is adjacent to the single-family residential district. The fifty (50) feet may include the width of the alley.~~

~~b. A rear yard of not less than twenty-five (25) feet shall be maintained where the rear lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.~~

~~4. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review [Board] approval or use permit.~~

~~5. Other requirements and exceptions as specified in article VII.~~

~~Sec. 5.1305. Off-street parking.~~

~~The provisions of article IX shall apply.~~

~~Sec. 5.1306. Signs.~~

~~The provisions of article VIII shall apply.~~

~~Sec. 5.1307. Landscaping.~~

~~Unless otherwise provided, the provisions of Article X. apply.~~

2. Sections 5.1300. through 5.1308. are added [Neighborhood Commercial (C-1) district.] as follows:

Sec. 5.1300. Neighborhood Commercial (C-1).

Sec. 5.1301. Purpose.

This district is intended to provide a center for convenience shopping and services for nearby neighborhoods. The district provides for small business retail and service establishments which supply commodities and services to meet the daily needs of the community.

Sec. 5.1302. Development Review Board approval.

Any development in the C-1 District is subject to Development Review Board approval as described in Section 1.900 of the Zoning Ordinance.

Sec. 5.1303. Use regulations.

A. The uses allowed in the C-1 District are shown in Table 5.1303.A. with additional limitations on uses as listed.

B. Drive-through and drive-in services are not permitted in the Downtown Area.

Table 5.1303.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Carwash	CU
2. Community buildings and recreational facilities not publicly owned	CU
3. Courier and messenger	P
4. Day care center with drop off or outdoor play area farther than 100 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (1)
5. Day care center with drop off or outdoor play area within 100 feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (1)
6. Dwelling units physically integrated with business establishments (limited to one dwelling unit per business establishment)	P (1)
7. Educational service, elementary and secondary school	P (1) (2)
8. Educational service, other than elementary and secondary school	P
9. Financial institution, including drive-through and drive-in service	P
10. Furniture and home furnishing sales	P
11. Gas station	CU
12. Health and fitness studio	P

13. Internalized community storage	P
14. Live entertainment	CU
15. Municipal use	P
16. Multimedia production without communication tower	P
17. Office	P
18. Personal care service	P
19. Place of worship	P (1)
20. Plant nursery	P
21. Public utility buildings, structures or appurtenances thereto for public service uses	CU
22. Residential health care facility	P (1) (3)
23. Restaurant, including drive-through restaurant but excluding drive-in restaurant	P
24. Retail	P
25. Veterinary and pet care service	P (4)
26. Wireless communications facility, Type 1, 2, and 3	P
27. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (2) Educational services, elementary and secondary school, are subject to the following standards:
 - a. The facility shall be located not less than 500 feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of 43,000 square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. A maximum of one-third of the required parking may be shared parking with other uses located within 600 feet of the building front entrance.
 - e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than 50 feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot wall or fence.

Exhibit A

- f. A drop-off area accommodating a minimum of five vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
- g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
- h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
- i. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC).

(3) Residential health care facilities.

a. Specialized residential health care facilities.

- i. The number of beds shall not exceed 80 per acre of gross lot area.
- ii. Required open space.

(1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows.

(a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:

- (i) Minimum: 20 square feet per one linear foot of public street frontage.
- (ii) Not required to exceed 50 square feet per one linear foot of public street frontage.

(b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.

b. Minimal residential health care facilities.

- i. The gross lot area shall not be less than one acre.
- ii. The number of units shall not exceed 40 dwelling units per gross acre of land.
- iii. Required open space.

(1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows.

(a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:

- (i) Minimum: 20 square feet per one linear foot of public street frontage.
- (ii) Not required to exceed 50 square feet per one linear foot of public street frontage.

(b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.

- (4) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
- a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. All outdoor areas are maintained in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least 100 feet from any lot line abutting a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding.

Sec. 5.1304. Property development standards.

The following property development standards shall apply to all land and buildings in the C-1 District:

- A. Floor area ratio. Maximum: 0.80.
- B. Building height (excluding rooftop appurtenances). Maximum: 36 feet.
- C. Required open space.
 1. Total open space.
 - a. Minimum: 0.10 multiplied by the net lot area.
 - b. For building heights over 12 feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over 12 feet.
 2. Total open space is distributed as follows:
 - a. Frontage open space minimum: 0.50 multiplied by the total open space requirement.
 - b. The remainder of the total open space, less the frontage open space, shall be common open space.
 3. Parking areas and parking lot landscaping are not included in the required open space.
 4. NAOS may be included in the required open space.
- D. Yards.
 1. Front yard.
 - a. Minimum: the applicable front yard, or corner lot yard, residential district development standard where the C-1 district is on the same side of the street and is located within 100 feet of a residential lot zoned with a single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned

Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential district shown on Table 4.100.A.

2. Side and rear yards.

- a. Minimum: 50 feet, including any alley width, from a single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A.
- b. Minimum: 25 feet, including any alley width, from a multiple-family residential district.

E. Screening.

1. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

Sec. 5.1305. General provisions.

Unless otherwise provided, the provisions of Article VII. shall apply.

Sec. 5.1306. Signs.

The provisions of Article VIII. shall apply.

Sec. 5.1307. Off-street parking.

The provisions of Article IX. shall apply.

Sec. 5.1308. Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.

ORDINANCE NO. 4083

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO AMEND ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING ARTICLE V. (DISTRICT REGULATIONS) AND ARTICLE VII (GENERAL PROVISIONS) AS PROVIDED IN CASE NO.9-TA-2012.

WHEREAS, the City of Scottsdale wishes to amend the Zoning Ordinance provisions regarding the regulations applicable to the Planned Neighborhood Center (PNC) District and related Development Plans requirements; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2013; and

WHEREAS, the City Council held a public hearing on May 14, 2013 and considered a text amendment to the Zoning Ordinance of the City of Scottsdale, Case No. 9-TA-2012; and

WHEREAS, the City Council has determined that the subject Zoning Ordinance amendment is in conformance with the General Plan.

THEREFORE BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. That the Zoning Ordinance of the City of Scottsdale, is amended by amending Article V. (District Regulations) and Article VII. (General Provisions) as specified in that certain document entitled "Zoning Ordinance Text Amendment – Planned Neighborhood Center (PNC) District 9-TA-2012" declared to be a public record by Resolution No. 9411 of the City of Scottsdale, and hereby referred to, adopted in its entirety and made a part hereof as if fully set out in this Ordinance.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 14th day of May, 2014.


ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY


Bruce Washburn, City Attorney

By: Kathe Anderson, Assistant City Attorney

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Ordinance No. 4083

Page 1 of 1

ATTACHMENT 3

RESOLUTION NO. 9411

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "ZONING ORDINANCE TEXT AMENDMENT-PLANNED NEIGHBORHOOD CENTER (PNC) DISTRICT 9-TA-2012."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Zoning Ordinance Text Amendment – Planned Neighborhood Center (PNC) District 9-TA-2012," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 14th day of May, 2013.

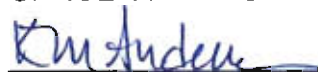
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Kathe Anderson, Assistant City Attorney

ARTICLE V. – DISTRICT REGULATIONS

1. Sections 5.2400. through 5.2407 are deleted [Planned Neighborhood Center (PNC) district.] as follows:

~~Sec. 5.2400. Planned Neighborhood Center (PNC).~~

~~Sec. 5.2401. Purpose.~~

~~The purpose of the planned neighborhood center is to provide a hub of activity and a focal point for a given neighborhood. The center shall reflect the identity of the neighborhood by providing a group of professional offices, services and retail sales to meet the daily needs of the neighborhood. Residential uses shall also be encouraged to provide a mixed use atmosphere of day and nighttime activities.~~

~~Sec. 5.2402. Approvals required.~~

~~A. Any application for rezoning to P.N.C. shall be accompanied by a site plan which reflects all criteria of the P.N.C. district.~~

~~B. No structure or building shall be built or remodeled upon land in the P.N.C. district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.~~

~~Sec. 5.2403. Use regulations.~~

~~A. Uses permitted. Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged for the following uses:~~

~~1. Business and professional services.~~

~~a. Business and professional offices.~~

~~b. Hospitals for animals including boarding and lodging; provided that there shall be no open kennels maintained and provided that all facilities are in soundproof buildings.~~

~~c. Municipal uses.~~

~~d. Optician.~~

~~e. Private and charter school having no room regularly used for housing or sleeping. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the PNC District.~~

~~i. Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.~~

~~ii. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty three thousand (43,000) square~~

~~feet (net).~~

~~iii. Noise: Outdoor speaker system or bells are not allowed if the school building is within one hundred (100) feet of a single family dwelling or multifamily dwelling unit.~~

~~iv. Required open space.~~

~~(1) Minimum: the amount required by the PNC District development standards.~~

~~(2) NAOS may be applied towards the required open space.~~

~~v. Parking: Parking shall observe the front yard setbacks of the district for all frontages. One third (1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.~~

~~vi. Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., and screened by a minimum six-foot high wall.~~

~~vii. Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.~~

~~viii. Public trails and pedestrian connections: Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.~~

~~ix. Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.~~

~~f. Studio for professional work or teaching of any form of commercial or fine arts.~~

~~2. Residential.~~

~~a. Dwelling units physically integrated with commercial establishments (refer to Section 5.2404.A).~~

- ~~3. Retail sales.~~
 - ~~a. Bakery.~~
 - ~~b. Candy store.~~
 - ~~c. Drugstore (limited to twelve thousand (12,000) square feet of gross floor area).~~
 - ~~d. Grocery store or supermarket.~~
 - ~~e. Hardware store (limited to six thousand (6,000) square feet of gross floor area).~~
 - ~~f. Liquor store.~~
 - ~~g. Restaurant, including drive-through restaurant but excluding drive-in restaurant.~~
 - ~~h. Variety store (limited to twelve thousand (12,000) square feet of gross floor area).~~
- ~~4. Services.~~
 - ~~a. Bank.~~
 - ~~b. Barber or beauty shop.~~
 - ~~c. Clothes cleaning agencies and laundromats (limited to two thousand five hundred (2,500) square feet of gross floor area).~~
 - ~~d. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.~~
 - ~~e. Health and fitness studio (limited to four thousand (4,000) square feet of gross floor area).~~
 - ~~f. Recyclable material collection center.~~
 - ~~g. Shoe repair.~~
 - ~~h. Small appliance repair.~~
 - ~~i. Theater for the performing areas (limited to a maximum seating capacity of one hundred fifty (150)).~~
 - ~~j. Travel agency.~~
 - ~~k. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200~~
- ~~5. Specialty retail uses which complement and support the everyday activities of the center.~~
 - ~~a. Such uses shall be limited to thirty five (35) percent of the total gross floor area of the development.~~
 - ~~b. The gross floor area of each specialty retail shop shall not exceed three thousand (3,000) square feet.~~
 - ~~i. Antique store.~~
 - ~~ii. Art gallery.~~

- ~~iii. Bookstore.~~
- ~~iv. Camera store.~~
- ~~v. Clothing store.~~
- ~~vi. Electronic equipment store.~~
- ~~vii. Fabric store.~~
- ~~viii. Florist.~~
- ~~ix. Gift shop.~~
- ~~x. Hobby or toy store.~~
- ~~xi. Import store.~~
- ~~xii. Jewelry store.~~
- ~~xiii. Music store.~~
- ~~xiv. Pet shop.~~
- ~~xv. Small appliance store.~~
- ~~xvi. Sporting goods.~~
- ~~xvii. Stationery store.~~
- ~~xviii. Swimming pool supply store.~~
- ~~xix. Vehicle parts.~~

~~B. Uses subject to conditional use permit.~~

- ~~1. Carpet and floor covering showroom limited to nine thousand (9,000) square feet of gross floor area provided no inventory other than samples is maintained on the premises.~~
- ~~2. Carwash.~~
- ~~3. Community buildings and recreational facilities not publicly owned.~~
- ~~4. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district.~~
- ~~5. Game center.~~
- ~~6. Gas station.~~
- ~~7. Internalized community storage.~~
- ~~8. Live entertainment.~~
- ~~9. Movie theater (indoor only limited to five hundred (500) seats).~~
- ~~10. Residential healthcare facility limited to forty (40) percent of the gross acreage of the Planned Neighborhood Center PNC.~~
- ~~11. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100, and 7.200~~

~~Sec. 5.2404. Property development standards.~~

~~The following property development standards shall apply to all land and buildings in the P.N.C.~~

district:

~~A. Floor area ratio:~~

- ~~1. Is limited to three tenths (0.3) of the net lot area.~~
- ~~2. Residential uses in conjunction with commercial buildings shall be allowed. The floor area devoted to residential use shall not be included in computing the floor area ratio.~~

~~B. Volume. Is limited to the net lot area in square feet multiplied by five (5) feet for any building.~~

~~C. Required open space:~~

- ~~1. Common open space:
 - ~~a. Minimum: 0.15 multiplied by the net lot area.~~
 - ~~b. For building heights over twelve (12) feet: the minimum open space requirement plus 0.005 multiplied by the net lot area for each foot of building height over twelve (12) feet.~~~~
- ~~2. Frontage open space minimum: 0.50 multiplied by the required common open space, except as follows:
 - ~~a. At least thirty (30) square feet per one (1) linear foot of public street frontage.~~
 - ~~b. Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.~~~~
- ~~3. Courtyard minimum: 0.01 multiplied by the net lot area.
 - ~~a. Planned neighborhood centers, including residential uses, shall be oriented toward and open onto a courtyard.~~
 - ~~b. The courtyard shall be enclosed by buildings on at least three (3) sides.~~
 - ~~c. The Development Review Board may waive the courtyard if the Board finds that a suitable alternative design solution is presented.~~~~
- ~~4. Private outdoor living space:
 - ~~a. Ground floor dwelling units and residential health care facility units: none required.~~
 - ~~b. Above ground floor dwelling units, minimum: 0.05 multiplied by the gross floor area of the unit.~~
 - ~~c. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.~~~~
- ~~5. Parking areas and parking lot landscaping are not included in the required open~~

~~space.~~

~~6. NAOS may be included in the required open space.~~

~~D. Building height. No building shall exceed thirty-six (36) feet in height except as otherwise provided in article VII.~~

~~E. Density.~~

~~1. Residential development, in conjunction with commercial buildings, shall not exceed four (4) dwelling units per gross acre.~~

~~2. Residential health care facilities:~~

~~a. Specialized residential health care facility: The number of beds shall not exceed eighty (80) beds per gross acre, limited to forty (40) percent of the gross acreage of the P.N.C. District.~~

~~b. Minimal residential health care facility: the number of dwelling units shall not exceed forty (40) dwelling units per gross acre, limited to forty (40) percent of the gross acreage of the P.N.C. District.~~

~~F. Yards.~~

~~1. Front Yard.~~

~~Refer to C.2. above, Frontage open space minimum.~~

~~2. Side and Rear Yards. A side and rear yard of not less than eighty (80) feet shall be maintained where the property abuts any residential district or an alley adjacent to a residential district.~~

~~3. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval or use permit.~~

~~G. Property size. The gross land area on which there is a P.N.C. development shall not be less than four (4) acres and shall not exceed ten (10) acres.~~

~~H. Remodeling of existing shopping centers. None of the above criteria shall prohibit the City Council from considering an application to reconstruct or remodel an existing shopping center.~~

~~Sec. 5.2405. Off street parking.~~

~~The provisions of article IX shall apply.~~

~~Sec. 5.2406. Signs.~~

~~The provisions of article VIII shall apply except a master sign plan shall be submitted at the time of development review application.~~

~~Sec. 5.2407. Landscaping.~~

~~Unless otherwise provided, the provisions of Article X. apply.~~

2. Sections 5.2400. through 5.2410. are added [Planned Neighborhood Center (PNC) district.] as follows:

Sec. 5.2400. Planned Neighborhood Center (PNC).

Sec. 5.2401. Purpose.

This district is intended to provide a hub of activity and a focal point in the community. The center provides professional offices, services and retail sales to meet the daily needs of the residents and visitors. Residential uses are encouraged to provide a live-work atmosphere of day and nighttime activities.

Sec. 5.2402. District size requirement.

- A. Minimum: four acres of gross lot area.
- B. Maximum: 15 acres of gross lot area.

Sec. 5.2403. Approvals required.

- A. The zoning district map amendment application shall be accompanied by a Development Plan as required in Article VII.
- B. Any development in the PNC District is subject to Development Review Board approval as described in Section 1.900 of the Zoning Ordinance.

Sec. 5.2404. Conformance to approved plans.

A PNC District shall be developed in conformance with the approved Development Plan and any Development Master Plan as provided in Article VII.

Sec. 5.2405. Use regulations.

- A. The uses allowed in the PNC District are shown in Table 5.2405.A. with additional limitations on uses as listed.
- B. Drive-through and drive-in services are not permitted in the Downtown Area.

Table 5.2405.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Carwash	CU
2. Community buildings and recreational facilities not publicly owned	CU
3. Courier and messenger	P

4. Day care center with drop off or outdoor play area farther than 100 feet from a residential district shown on Table 4.100.A, or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (1)
5. Day care center with drop off or outdoor play area within 100 feet of a residential district shown on Table 4.100.A, or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (1)
6. Dwelling units physically integrated with business establishments	P (1)
7. Educational service, elementary and secondary school	P (1) (2)
8. Educational service, other than elementary and secondary school	P
9. Financial institution, including drive-through and drive-in service	P
10. Furniture and home furnishing sales	P
11. Game center	CU
12. Gas station	CU
13. Health and fitness studio	P
14. Internalized community storage	P
15. Live entertainment	CU
16. Multimedia production without communication tower.	P
17. Municipal use	P
18. Office	P
19. Personal care service	P
20. Place of worship	P (1)
21. Residential health care facility, limited to 40 percent of the PNC zoning map amendment site area	P (1) (3)
22. Restaurant, including drive-through restaurant but excluding drive-in restaurant	P
23. Retail	P
24. Theater	P (1)
25. Veterinary and pet care service	P (4)
26. Wireless communications facility, Type 1, 2, and 3	P
27. Wireless communications facility, Type 4	CU

Use Limitations:

(1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.

(2) Educational services, elementary and secondary school, are subject to the following standards:

- a. The facility shall be located not less than 500 feet from any adult use.
- b. The net lot area for the facility shall be a minimum of 43,000 square feet.
- c. The facility shall not have outdoor speaker systems or bells.
- d. A maximum of one-third of the required parking may be shared parking with other uses located within 600 feet of the building front entrance.
- e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than 50 feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot tall wall or fence.
- f. A drop-off area accommodating a minimum of five vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
- g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
- h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
- i. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC).

(3) Residential health care facilities.

- a. Specialized residential health care facilities.
 - i. The site size shall not exceed 40 percent of the gross acreage of the PNC District map amendment for the site.
 - ii. The number of beds shall not exceed 80 per acre of gross lot area.
 - iii. Required open space.

(1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows:

(a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:

- (i) Minimum: 20 square feet per one linear foot of public street frontage.
- (ii) Not required to exceed 50 square feet per one linear foot of public street frontage.

(b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.

b. Minimal residential health care facilities.

- i. The gross lot area shall not be less than one acre.
- ii. The site size shall not exceed 40 percent of the gross acreage of the PNC District map amendment for the site.
- iii. The number of units shall not exceed 40 dwelling units per acre of gross lot area.
- iv. Required open space.

(1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows.

(a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:

- (i) Minimum: 20 square feet per one linear foot of public street frontage.
- (ii) Not required to exceed 50 square feet per one linear foot of public street frontage.

(b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.

(4) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:

- a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
- b. All outdoor areas are maintained in a clean and sanitary condition, including immediate and proper disposal of animal waste.
- c. The outdoor areas are set back at least 100 feet from any lot line abutting a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
- d. There is no outdoor kennel boarding.

Sec. 5.2406. - Property development standards.

The following property development standards shall apply to all land and buildings in the P.N.C. district:

A. Density.

1. Residential development physically integrated with business establishments.

- a. Maximum: 4.0 dwelling units per acre of gross lot area.

B. Floor area ratio.

1. Maximum: 0.50.
2. Residential use floor area is not included in computing floor area ratio.

C. Building height (excluding rooftop appurtenances). Maximum: 36 feet.

D. Required open space.

1. Common open space.

- a. Minimum: 0.16 multiplied by the net lot area.

- b. For building heights over 12 feet: the minimum open space requirement plus 0.005 multiplied by the net lot area for each foot of building height over 12 feet.

2. Frontage open space minimum: 0.50 multiplied by the required common open space, except as follows:

- a. At least 30 square feet per one linear foot of public street frontage.

- b. Not required to exceed 50 square feet per one linear foot of public street frontage.

3. Private outdoor living space.

- a. Ground floor dwelling units and residential health care facility units: none required.

- b. Above ground floor dwelling units, minimum: 0.05 multiplied by the gross floor area of the unit.

- c. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.

4. *Parking areas and parking lot landscaping are not included in the required open space.*

5. NAOS may be included in the required open space.

E. Yards.

1. Side and Rear Yards.

- a. Minimum: 80 feet from an abutting property line or an alley adjacent to a property with a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development with an underlying zoning district comparable to the residential district shown on Table

4.100.A.

F. Screening.

1. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

Sec. 5.2407. General provisions.

Unless otherwise provided, the provisions of Article VII. shall apply.

Sec. 5.2408. Signs.

The provisions of Article VIII. shall apply.

Sec. 5.2409. Off-street parking.

Unless otherwise provided, the provisions of Article IX. shall apply.

Sec. 5.2410. Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.

ARTICLE VII. – GENERAL PROVISIONS

3. Subsection 7.820.A. of Section 7.820. Development Plans (DP). is amended as follows:

Sec. 7.820. Development Plans (DP).

A. *General Intent.* The DP consists of several required or optional components such as land use, transportation, drainage, parking, and design. A DP helps address compliance with the Zoning Ordinance and allows for consideration of flexible development standards. Zoning districts that require a DP include, but are not limited to, Planned Community {P-C}, **Planned Neighborhood Center PNC**, Planned Community Center {PCC}, Planned Regional Center {PRC}, Planned Block Development Overlay District {PBD} in the Downtown {D} district, Western Theme Park {W-P}, Planned Airpark Core Development {PCP}, Planned Unit Development {PUD}, Planned Residential Development {PRD}, and Special Campus {SC}.

4. Section 7.820.C. and Table 7.820.A. of Section 7.820 Development Plans (DP). is amended as follows:

Sec. 7.820. Development Plans (DP).

C. *DPs Required by District.* The following table outlines the components in a DP for each of the districts listed:

Note: R = Required component of the DP submittal.

O = Optional component of the DP submittal as determined by the Zoning Administrator.

Table 7.820.A Development Plans Required by District									
Development Plan Component:	P-C	PCC	PRC	PBD (D)	W-P	PCP	PUD	PRD	SC
1. Development Program – List of Land Uses and Associated Density, Floor Area, Etc.	R	O	R	O	R	R	R	R	R
2. Development Program – Development Standards of Proposed Site Plan	R	O	O	R	R	R	R	R	R
3. Drainage Report –	R	O	O	O	R	R	R	R	R

ZONING ORDINANCE TEXT AMENDMENT – PLANNED NEIGHBORHOOD CENTER (PNC) DISTRICT 9-TA-2012

Including Basis of Design									
4. Transportation Analysis and Concepts	R	Ø	R	Ø	R	R	Ø	R	R
5. Conceptual Open Space Plan	Ø	R	R	R	Ø	R	R	R	R
6. Transitions Plan	Ø	Ø	Ø	Ø	Ø	R	Ø	R	R
7. Parking Plan	Ø	Ø	R	R	Ø	R	R	Ø	R
8. Cultural Amenities Plan	Ø	Ø	Ø	R	Ø	R	R	Ø	Ø
9. Sensitive Design Concept Plan and Proposed Design Guidelines	Ø	Ø	Ø	Ø	Ø	R	Ø	Ø	R
10. Conceptual Signage Plan	Ø	Ø	Ø	Ø	Ø	R	Ø	Ø	Ø
11. Special Impacts Analysis (Lighting Program, Dust Control, Noise Analysis and Control)	Ø	Ø	Ø	Ø	R	Ø	Ø	Ø	R
12. Conceptual Phasing Plan	R	Ø	Ø	Ø	R	R	Ø	Ø	R

Table 7.820.A Development Plans Required by District

Development Plan Component:	PNC	PCC	PRC	P-C	PCP	PUD	SC	W-P	PBD (D)	PRD
1. Development Program – List of Land Uses and Associated Density, Floor	O	O	R	R	R	R	R	R	O	R

ZONING ORDINANCE TEXT AMENDMENT – PLANNED NEIGHBORHOOD CENTER (PNC) DISTRICT 9-TA-2012

Area, Etc.										
2. Development Program – Development Standards	O	O	O	R	O	O	O	O	R	R
3. Site Plan	R	R	R	O	R	R	R	R	R	R
4. Drainage Report – Including Basis of Design	O	O	O	R	R	R	R	R	O	R
5. Transportation Analysis and Concepts	O	O	R	R	R	O	R	R	O	R
6. Conceptual Open Space Plan	R	R	R	O	R	R	R	O	R	R
7. Transitions Plan	O	O	O	O	R	O	R	O	O	R
8. Parking Plan	O	O	R	O	R	R	R	O	R	O
9. Cultural Amenities Plan	O	O	O	O	R	R	O	O	R	O
10. Sensitive Design Concept Plan and Proposed Design Guidelines	O	O	O	O	R	O	R	O	O	O
11. Conceptual Signage Plan	O	O	O	O	R	O	O	O	O	O
12. Special Impacts Analysis (Lighting Program, Dust Control, Noise Analysis and Control)	O	O	O	O	O	O	R	R	O	O
13. Conceptual Phasing Plan	O	O	O	R	R	O	R	R	O	O

ORDINANCE NO. 4080

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO AMEND ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING ARTICLE V. (DISTRICT REGULATIONS) AS PROVIDED IN CASE NO. 10-TA-2012.

WHEREAS, the City of Scottsdale wishes to amend the Zoning Ordinance provisions regarding the regulations applicable to the Planned Convenience Center (PCoC) District; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2013; and

WHEREAS, the City Council held a public hearing on May 14, 2013 and considered a text amendment to the Zoning Ordinance of the City of Scottsdale, Case No. 10-TA-2012; and

WHEREAS, the City Council has determined that the subject Zoning Ordinance amendment is in conformance with the General Plan.

THEREFORE BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. That the Zoning Ordinance of the City of Scottsdale, is amended by amending Article V. (District Regulations), as specified in that certain document entitled "Zoning Ordinance Text Amendment – Planned Convenience Center (PCoC) District – 10-TA-2012" declared to be a public record by Resolution No. 9409 of the City of Scottsdale, and hereby referred to, adopted in its entirety and made a part hereof as if fully set out in this Ordinance.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 14th day of May, 2014.

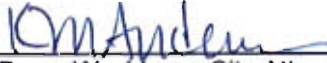
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Kathe Anderson, Assistant City Attorney

RESOLUTION NO. 9409

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "ZONING ORDINANCE TEXT AMENDMENT – PLANNED CONVENIENCE CENTER (PCoC) DISTRICT – 10-TA-2012."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Zoning Ordinance Text Amendment – Planned Convenience Center (PCoC) District – 10-TA-2012," attached as Exhibit A, three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 14th day of May, 2013.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Kathe Anderson, Assistant City Attorney

ARTICLE V. – DISTRICT REGULATIONS

1. Sections 5.2700. through 5.2707 are deleted [Planned Convenience Center (PCoC) district.] as follows:

~~Sec. 5.2700. Planned Convenience Center (PCoC).~~

~~Sec. 5.2701. Purpose.~~

~~The purpose of the P.Co.C. district is to provide basic convenience goods and services within walking distance of nearby residences. A mixed-use, pedestrian-oriented atmosphere shall be encouraged by allowing dwelling units in conjunction with commercial buildings.~~

~~Sec. 5.2702. Approvals required.~~

~~No structure or building shall be built or remodeled upon land in the P.Co.C. district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.~~

~~Sec. 5.2703. Use regulations.~~

~~A. Permitted uses. Buildings, structures, or premises shall be used and buildings and structure shall hereafter be erected, altered or enlarged for the following uses:~~

- ~~1. Residential Uses.~~
 - ~~a. Dwelling units located in conjunction with commercial buildings (refer to Section 5.2704.A).~~
- ~~2. Retail sales.~~
 - ~~a. Bakery.~~
 - ~~b. Bookstore.~~
 - ~~c. Gift shop.~~
 - ~~d. Grocery store (limited to three thousand (3,000) square feet of gross floor area).~~
 - ~~e. Health food.~~
 - ~~f. Hobby shop.~~
 - ~~g. Restaurant excluding drive-through restaurant and excluding drive-in restaurant.~~
 - ~~h. Sporting goods.~~
 - ~~i. Video rental.~~
- ~~3. Services (limited to one thousand (1,000) square feet of gross floor area per use).~~
 - ~~a. Accountant office.~~
 - ~~b. Barbershop.~~
 - ~~c. Bank or financial institution with no drive through lane.~~
 - ~~d. Beauty shop.~~
 - ~~e. Dance studio/health and fitness studio.~~

- ~~f. Florist shop.~~
- ~~g. Insurance agency.~~
- ~~h. Laundromat and/or dry cleaner.~~
- ~~i. Mail service store.~~
- ~~j. Office where professional, administrative, clerical, or sales services are rendered.~~
- ~~k. Pet grooming shop.~~
- ~~l. Photography studio.~~
- ~~m. Photo processing shop.~~
- ~~n. Real estate office.~~
- ~~o. Shoe repair.~~
- ~~p. Tailoring shop.~~
- ~~q. Travel agency.~~
- ~~r. Utility payment store.~~

~~4. Other Uses.~~

- ~~a. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.~~
- ~~b. Municipal uses.~~
- ~~c. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200~~

~~B. Uses permitted by conditional use permit.~~

- ~~1. Bank or financial institutions with a drive through, provided that:
 - ~~a. A separation is provided between pedestrians and the bank drive through lane.~~
 - ~~b. The criteria in Section 1.403 is satisfied.~~
 - ~~c. The maximum gross square footage is three thousand (3,000) square feet (This square footage requirement shall supersede the square footage allowed in Section 1.403).~~~~
- ~~2. Bars or cocktail lounges limited to beer and wine.
 - ~~a. No entertainment.~~
 - ~~b. Maximum one thousand (1,000) square feet.~~
 - ~~c. See Section 1.403 for additional criteria.~~~~
- ~~3. Carwash.~~
- ~~4. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district.~~
- ~~5. Gas station.~~

~~6. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400., 3.100. and 7.200~~

~~Sec. 5.2704. – Property development standards.~~

~~The following property development standards shall apply to all land and buildings in the PCoC District:~~

~~A. Floor area ratio.~~

- ~~1. Is limited to two tenths (0.2) of the net lot area.~~
- ~~2. In order to create a mixed use atmosphere, residential uses in conjunction with commercial uses shall be allowed. The floor area devoted to residential use shall not be counted within the overall floor area ratio.~~

~~B. Volume. Is limited to the net lot area in square feet multiplied by three (3) feet for any building.~~

~~C. Required open space.~~

- ~~1. Common open space.
 - ~~a. Minimum: 0.24 multiplied by the net lot area.~~
 - ~~b. For building heights over twelve (12) feet. The minimum required open space plus 0.004 multiplied by the net lot area for each foot of building height over twelve (12) feet.~~~~
- ~~2. Frontage open space minimum: 0.50 multiplied by the required common open space requirement.~~
- ~~3. Courtyard minimum: 0.01 multiplied by the net lot area.
 - ~~a. Courtyards shall include seating areas.~~~~
- ~~4. Parking areas and parking lot landscaping are not included in the required open space.~~
- ~~5. NAOS requirements may be included in the required open space.~~

~~D. Building height. No building shall exceed twenty four (24) feet in height.~~

~~E. Density. Residential development within this district shall not exceed four (4) dwelling units per gross acre.~~

~~F. Yards.~~

- ~~1. Front Yard.
 - ~~a. Refer to C.2. above, Frontage open space minimum.~~
 - ~~b. Where a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building such building shall be erected no closer to the street than the existing adjacent building, except that the open space required by Section 5.2704.C shall be the minimum provided.~~~~

~~c. Where parking occurs between a building and the street a yard thirty five (35) feet in depth shall be maintained. This depth may be decreased to a minimum of twenty (20) feet subject to Section 10.402.D.3.~~

~~2. Side and Rear Yards.~~

~~a. Side and rear yard shall be maintained where the property abuts any residential district not less than the height of the building in feet. One half (½) of any adjacent alley may be used as part of the required yard.~~

~~b. There shall be a yard of not less than six (6) feet between any residential district and any parking area.~~

~~3. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review [Board] approval or use permit.~~

~~G. Property size. The net land area on which there is a P.Co.C. development shall not exceed one (1) acre.~~

~~Sec. 5.2705. Off-street parking and loading.~~

~~The provisions of article IX shall apply.~~

~~Sec. 5.2706. Signs.~~

~~The provisions of article VIII shall apply except a master sign plan shall be submitted at the time of development review application.~~

~~Sec. 5.2707. Landscaping.~~

~~Unless otherwise provided, the provisions of Article X. apply.~~

2. Sections 5.2700. through 5.2709. are added [Planned Center (PCoC) district.] as follows:

Sec. 5.2700. Planned Convenience Center (PCoC).

Sec. 5.2701. Purpose.

This district is intended to provide basic convenience goods shopping and services within walking distance of nearby residences. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood, and shall be in locations where analysis of residential population demonstrates that such facilities are justified.

Sec. 5.2702. District size requirement.

Maximum: one acre of gross lot area.

Sec. 5.2703. Development Review Board approval.

Any development in the PCoC District is subject to Development Review Board approval as described in Section 1.900 of the Zoning Ordinance.

Sec. 5.2704. - Use regulations.

A. The uses allowed in the PCoC District are shown in Table 5.2703.A. with additional limitations on uses as listed.

B. Drive-through and drive-in services are not permitted in the Downtown Area.

Table 5.2703.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Carwash	CU
2. Courier and messenger	P
3. Day care center with drop off or outdoor play area farther than 100 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (1)
4. Day care center with drop off or outdoor play area within 100 feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (1)
5. Dwelling units physically integrated with business establishments (limited to one dwelling unit per business establishment)	P (1)
6. Educational service, other than elementary and secondary school	P
7. Gas station	CU
8. Municipal use	P
9. Office	P
10. Personal care service	P
11. Restaurant, excluding drive-through restaurant and excluding drive-in restaurant	P

12. Retail	P
13. Veterinary and pet care service	P (2)
14. Wireless communications facility, Type 1, 2, and 3	P
15. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (2) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
 - a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. All outdoor areas are maintained in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least 100 feet from any lot line abutting a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding.

Sec. 5.2705. Property development standards.

The following property development standards shall apply to all land and buildings in the PCoC District:

A. Density.

1. Residential development physically integrated with business establishments.
 - a. Maximum: 4.0 dwelling units per acre of gross lot area.

B. Floor area ratio.

1. Maximum: 0.20.
2. Residential use floor area is not included in computing floor area ratio.

C. Building height (excluding rooftop appurtenances). Maximum: 24 feet.

D. Required open space.

1. Common open space
 - a. Minimum: 0.24 multiplied by the net lot area.
 - b. For building heights over 12 feet. The minimum required open space plus 0.004

multiplied by the net lot area for each foot of building height over 12 feet.

2. Frontage open space minimum: 0.50 multiplied by the required common open space requirement.
3. Parking areas and parking lot landscaping are not included in the required open space.
4. NAOS requirements may be included in the required open space.

E. Yards.

1. Front yard.

- a. Minimum: the applicable front yard, or corner lot yard, residential district development standard where the PCoC district is on the same side of the street and is located within 100 feet of a residential lot zoned with a single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential district shown on Table 4.100.A.

2. Side and Rear Yards.

- a. Minimum: 20 feet, including up to one-half of any alley width, where the property abuts a residential district shown on Table 4.100.A., or single-family residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to a residential district shown on Table 4.100.A.
- b. Minimum: six feet between any parking area and any residential district shown on Table 4.100.A., or a residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to a residential district shown on Table 4.100.A.

F. Screening.

1. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

Sec. 5.2706. General provisions.

Unless otherwise provided, the provisions of Article VII. shall apply.

Sec. 5.2707. Signs.

The provisions of Article VIII. shall apply.

Sec. 5.2708. Off-street parking and loading.

The provisions of Article IX. shall apply.

Sec. 5.2709. Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, APRIL 24, 2013

DRAFT SUMMARIZED MEETING MINUTES

PRESENT: Michael D'Andrea, Chairman
Ed Grant, Vice-Chair
Erik Filsinger, Commissioner
Matt Cody, Commissioner
Michael Edwards, Commissioner
Jay Petkunas, Commissioner

ABSENT: David Brantner, Commissioner

STAFF: Tim Curtis
Sherry Scott
Keith Niederer
Jesus Murillo
Kira Wauwie
Greg Bloemberg
Don Meserve

CALL TO ORDER

Chair D'Andrea called the regular session of the Scottsdale Planning Commission to order at 5:03 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp

MINUTES REVIEW AND APPROVAL

1. Approval of April 10, 2013 Regular Meeting Minutes including Study Session.

COMMISSIONER PETKUNAS MOVED TO APPROVE THE APRIL 10, 2013 REGULAR MEETING MINUTES, INCLUDING STUDY SESSION. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

CONINUANCE

2. 14-UP-2012 (AT&T WCF549-Giants Complex Club Sar)

COMMISSIONER CODY MOVED TO CONTINUE 14-UP-2012 TO THE MAY 8, 2013 MEETING; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

3. 15-ZN-2005#2 (Silverstone)
4. 8-TA-2012 (C-1 Neighborhood Commercial Text Amendment)
5. 9-TA-2012 (PNC Planned Neighborhood Center Text Amendment)
6. 10-TA-2012 (PCoC Planned Convenience Center Text Amendment)

COMMISSIONER FILSINGER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL, FOR APPROVAL OF CASES 15-ZN-2005#2, 8-TA-2012, 9-TA-2012 AND 10-TA-2012 PER THE STAFF RECOMMENDED STIPULATIONS, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN; SECONDED BY COMMISSIONER PETKUNAS. THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 5:06 p.m.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at:
www.scottsdaleaz.gov/boards/PC.asp